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6 Attorneys for Defendant
SunTrust Mortgage Inc.

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA-SAN JOSE
10

11 Claude & Pamela Bennett,
12 Plaintiffs,
13 vs.
14 SunTrust Mortgage Inc.,
15 Defendant.
16

Case No.: CV10-03375 JF

**DECLARATION OF MARY KATE
SULLIVAN IN SUPPORT OF
ADMINISTRATIVE MOTION
PURSUANT TO LOCAL RULE 6-3
AND REQUEST FOR EXTENSION OF
TIME TO RESPOND TO "ORIGINAL
PETITION"**
LOCAL RULE 6-3
FRCP 6(B)(1)(A)

Accompanying Documents: Motion,
Proposed Order

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19 I, Mary Kate Sullivan, declare:

20 1 I am an attorney admitted to practice law in California. I am a special counsel for
21 Severson & Werson, A Professional Corporation, attorneys for Defendant SunTrust Mortgage,
22 Inc. ("SunTrust") in this case. I make this declaration in support of SunTrust's request pursuant
23 to Local Rule 6-3 and Fed. R. Civ. P. 6(b)(1)(A) for an extension of time to answer or otherwise
24 respond to the Plaintiff's pleading entitled "original Petition," hereinafter referred to as
25 Complaint. In support of this request, SunTrust represent as follows:

26 2. The Complaint was filed on August 2, 2010 and served on August 3, 2010.
27 Pursuant to Fed. R. Civ. P. 12(a)(1), SunTrust's response to the Complaint is currently due on
28 August 23, 2010.

8 4. I have been unable to make contact with pro per plaintiffs to request an extension
9 of time to respond to the Complaint as none of the documents filed or served contain a telephone
10 number for either named pro per plaintiff.

11 5. SunTrust will be substantially harmed and prejudiced if the extension is not
12 granted in that it will be unable to fully and adequately assess the multitude of facts, allegations
13 and arguments made in plaintiffs' "Original Petition" to determine the exact claims being made
14 against SunTrust.

15 6. This is SunTrust's first request for extension of time to answer or otherwise
16 respond to the Complaint.

7. The requested extension will not have any adverse effect on the schedule for this case as there are no shortly impending dates scheduled in this matter and the matter is in the very early stages of litigation

20 I declare under penalty of perjury under the laws of the State of California that the fore-
21 going is true and correct. Executed at San Francisco, California this 18th day of August 2010.

Mary Kate Sullivan

CERTIFICATE OF SERVICE

I, the undersigned, declare that I am over the age of 18 and am not a party to this action. I am employed in the City of San Francisco, California; my business address is Severson & Werson, One Embarcadero Center, Suite 2600, San Francisco, CA 94111.

On the date set forth below I served a copy, with all exhibits, of the following document(s):

**DECLARATION OF MARY KATE SULLIVAN IN SUPPORT OF
ADMINISTRATIVE MOTION PURSUANT TO LOCAL RULE 6-3 AND REQUEST FOR
EXTENSION OF TIME TO RESPOND TO "ORIGINAL" PETITION
(LOCAL RULE 6-3; FRCP 6(B)(1)(A))**

on all interested parties in said case addressed as follows:

Claude and Pamela Bennett Plaintiffs in Pro Per
508 Herrmann Drive
Monterey, CA 93940

By placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with the firm's practice of collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in San Francisco, California in sealed envelopes with postage fully prepaid.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This declaration is executed in San Francisco, California, on August 18, 2010.


Verdiana Nash